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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-------------------------------|------------------|
| 09/738,721 | 12/15/2000 | David J. Evans | NTL-3.2.164/3605 (13399RO) | 1463 |
| 34845 | 7590 | 01/24/2005 | EXAMINER | |
| STEUBING AND MCGUINNESS & MANARAS LLP 125 NAGOG PARK ACTON, MA 01720 | | | BETIT, JACOB F | |
| | | | ART UNIT | PAPER NUMBER |

2164

DATE MAILED: 01/24/2005

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| EXAMINER |
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| ART UNIT | PAPER |
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20050118

DATE MAILED:

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Commissioner for Patents

Please see attached Notice of Non-Responsive Amendment.


SAM RIMELL
PRIMARY EXAMINER

Response to Amendment

1. The reply filed on 26-July-2004 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s):

The amendment does not comply with 37CFR 1.121(c). "The claim listing shall commence on a separate sheet of the amendment document and the sheet(s) that contain the text of any part of the claims shall not contain any other part of the amendment." The amendment includes both the listing of claims and remarks on page 12. A new listing of claims should be submitted that commences on a separate sheet. The sheets containing the listing of claims should not include any other part of the amendment.

2. See 37 CFR 1.111. Since the above-mentioned reply appears to be *bona fide*, applicant is given **ONE (1) MONTH or THIRTY (30) DAYS** from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob F. Betit whose telephone number is (571) 272-4075. The examiner can normally be reached on Monday through Friday 9 am to 5 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dov Popovici can be reached on (571) 272-4083. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2164

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

jfb
18 Jan 2005



SAM RIMELL
PRIMARY EXAMINER